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Docket No.: C0852-703030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert B. Chaffee
Serial No: 10/717,410
Confirmation No: 7257
Filed: November 28, 2003
For: INFLATABLE DEVICE

Examiner: Safavi, Michael
Art Unit: 3673

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

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Sylvia Householder

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT/ELECTION

Sir:

In response to the Office Action mailed December 23, 2004, in the above-identified application, Applicant hereby elects, with traverse, Group I (Claims 1, 2, 3-16, and 66-68) for further prosecution.

Remarks begin on page 2 of this paper.

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REMARKS

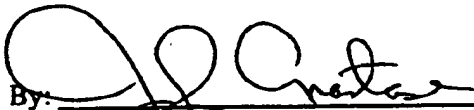
The election of Group I, Claims 1-16 and 66-68 is made with traverse to the Restriction Requirement.

The Applicant respectfully submits that search and examination of the pending claims in at least Groups I (claims 1-16 and 66-68) and II (claims 17-24) in the application can be made without undue burden on the Examiner. According to MPEP §803 "if search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits" (emphasis added). For at least this reason, the Restriction Requirement is improper and should be withdrawn. In making the provisional election of Group I, Applicant retains the right to petition from the requirement under 37 C.F.R. §1.144. Applicant respectfully requests the Examiner to reconsider and withdraw the restrictions requirement and proceed with the prosecution on the merits of all of the presently pending claims.

CONCLUSION

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Robert B. Chaffee, Applicant

By: 

John N. Anastasi, Reg. No. 37,765
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-7070

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